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October 11, 2018

VIA ECF

Hon. Jesse M. Furman
United States District Judge
Thurgood Marshall Courthouse
40 Foley Square
Courtroom 1105
New York, New York 10007

**Re: *Beach v. JPMorgan Chase Bank, et al.*,
No. 1:17-cv-00563**

Dear Judge Furman:

In accordance with Paragraph 2.B of the Court's Individual Rules and Practices, the Court's Order of April 24, 2018 [ECF No. 79], and in advance of the pretrial conference currently scheduled for October 16, 2018, Interim Class Counsel for Plaintiffs¹ and Counsel for Defendants² jointly make the following statements regarding the status of the case:

(1) A statement of all existing deadlines, due dates, and/or cut-off dates;

Pursuant to the schedule ordered by the Court on April 24, 2018 (ECF 79), the following deadlines currently exist:

Defendants' opposition to Plaintiffs' motion for class certification – 11.05.2018
Plaintiffs' reply in support of their motion for class certification – 11.19.2018
Deadline to serve requests for admissions – 02.27.2019
Deadline to meet and confer regarding an expert discovery schedule – 02.27.2019
End of fact discovery – 03.29.2019

¹ "Plaintiffs" refers to Antoinette Fondren, Ferdinand Orellana, William Stirsman, Sean Daly, and James C. Monaghan. Plaintiff Terre Beach is not moving forward in the litigation as a class representative but will remain an absent class member. Interim Class Counsel is preparing a Rule 41 stipulation of dismissal for Ms. Beach.

² "Defendants" refers to JPMorgan Chase Bank, National Association (the "Bank"), JPMorgan Chase & Company ("JPMorgan Chase"), the Compensation & Management Development Committee of the Board of Directors for JPMorgan Chase & Company (the "CMDC"), the Selection Committee, the Employee Plans Investment Committee (the "EPIC"), J.P. Morgan Investment Management Inc. ("JPMIM"), Head of Human Resources for JPMorgan Chase & Co., Chief Financial Officer for JPMorgan Chase & Co., Benefits Director of JPMorgan Chase & Co., Stephen B. Burke, Lee R. Raymond, William C. Weldon, John C. Donnelly, Marianne Lake, Bernadette J. Branosky, Thelma Ferguson, and John Does 1-20 (collectively "Defendants").

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Required in-person one hour settlement conference – by 04.12.2019

End of expert discovery – 07.29.19

Motions for summary judgment or to exclude expert testimony – 08.28.19

(2) A brief description of any outstanding motions;

Plaintiffs' motion for class certification, filed on October 1, 2018, is currently pending with opposition and reply dates as set out above.

(3) A brief description of the status of discovery and of any additional discovery that needs to be completed

Both parties have served and responded to initial document requests. Additionally, on September 20, 2018, Plaintiffs served limited requests for admissions regarding certain operative JPMorgan Chase 401(k) Savings Plan documents, to which Defendants responded on October 3, 2018. Plaintiffs have completed the document production responsive to the Defendants' requests. Defendants' document production is ongoing.

On September 21, 2018, Plaintiffs deposed a corporate designee of JPMorgan pursuant to Rule 30(b)(6) regarding class certification issues. The parties are currently scheduling depositions of the Plaintiffs in connection with Plaintiffs' motion for class certification. Plaintiffs intend to notice the depositions of certain Defendants to occur within the next sixty to ninety days. The parties have been cooperating with respect to the dates and locations of depositions. Should there be any issue that they cannot resolve, they will bring it to the Court's attention.

(4) A list of all prior settlement discussions, including the date, the parties involved, whether any third-party (e.g., Magistrate Judge, mediator, etc.) was involved, and the approximate duration of such discussions, if any;

The parties have not engaged in settlement discussions.

(5) A statement of whether or how the Court could facilitate settlement of the case (for example, through a(nother) settlement conference before the designated Magistrate Judge or as part of the Court's Mediation Program)

The parties believe additional discovery is necessary before meaningful settlement discussions can occur. The parties anticipate utilizing a private mediator on or before April 12, 2019, which is the Court-ordered deadline for the parties to participate in a settlement conference.

(6) A statement of the anticipated length of trial and whether the case is to be tried to a jury

The parties estimate that a bench trial of this matter will take approximately two weeks.

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(7) A statement of whether the parties anticipate filing motions for summary judgment; and

Because discovery is still ongoing the parties have not yet made a determination as to whether they will file motions or cross-motions for summary judgment.

(8) Any other issue that the parties would like to address at the pretrial conference or any information that the parties believe may assist the Court in advancing the case to settlement or trial

In light of the foregoing, the Parties submit, subject to Court approval, that a pretrial conference is unnecessary at this time.

Respectfully submitted,

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